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LETTERS TO THE EDITORS

A LETTER FROM THE ATTORNEY GENERAL AND LIFE'S ANSWER

Sirs:

It is of fundamental importance that the Department of Justice never lend its name or knowledge to public or private accusations of criminal, immoral, unethical or other wrongful conduct, except in legal proceedings where relevant to a case. The accusatory power of the Department must never be used openly or covertly, expressly or implicitly, merely to inform the public or to injure or defame any person. To do so would change not only the nature of this Department, but of our nation as well. No such action shall ever be permitted while I am Attorney General. Anyone violating this principle will be subject to stern disciplinary action. If LIFE magazine disagrees with this principle, we disagree.

When LIFE says I commented on the alleged association of a congressman and a hoodlum in my press conference of Aug. 14, it is in error. At no time did I comment on the private conduct of any person. I would not do so.

In essence, I was asked whether I had checked into reports that the source of the LIFE article was conversations overheard by the FBI using electronic surveillance and leaked. I replied in substance that no divulgence would ever be authorized; any divulgence would be a breach of integrity; and that the FBI advises me that the quotes in LIFE do not appear in any FBI surveillance logs, and that therefore they could not have emanated from the FBI.

As I said, the matter is being thoroughly studied.

LIFE says the alleged conduct "... has been troubling officials of the Department of Justice ever since [June 13, 1960.]" Speaking for myself, and I feel confidently for the three Attorneys General who have preceded me during the period in question, I can assure you this Department would not hesitate to investigate or prosecute a congressman or a hoodlum if the evidence warranted federal action. Any inference to the contrary is a disservice to the rule of law, to the Department and to its personnel.

RAMSEY CLARK
Attorney General

Washington, D.C.

▶ LIFE *shares the Attorney General's concern about the proper conduct of his office. Regarding the press conference, the magazine did not say that the Attorney General* commented *on the Gallagher-Zicarelli association, but that he had denied knowledge of it.* LIFE *is happy to accept Mr. Clark's statement that he was not commenting on the underlying allegations. None of this, nor any discussion of how or where* LIFE *got its information—or whether any crime involved would come under federal or local jurisdiction—is fully responsive to the serious charges made by this magazine: 1) that a prominent member of the U.S. Congress had a tight alliance with one of the country's most notorious gangsters: 2) that a federal law enforcement agency told the Justice Department—and Clark himself—about Gallagher's dealings with Joe Zicarelli, and also passed on information received from microphone sources; and 3) that the Department of Justice has done nothing about the Gallagher-Zicarelli relationship, other than to deny knowledge of it.*

THE EDITORS